

EXHIBIT A: SCOPE OF WORK

Task 1: Project Initiation and Analysis

A. Initial Review of Zoning Ordinance, Plans, and Other Background Documents

As a first step, the Clarion/Farr/Ayers team will review in greater detail the City of Duluth Comprehensive Land Use Plan (2006), City Charter, existing chapters of the Duluth Legislative Code relevant to this project (including chapters 18, 28A, 29A, 37, 44, 45, 50, and 51), subdivision regulations, zoning map, administrative rules, examples of approved development permits, special use approvals and variances; and other relevant plans, ordinances, and policies as identified by the city. Team members will analyze and compare the plan policies with the current ordinance language, map, and regulatory structure to identify key issues and opportunities in the ordinance update project.

B. Initial Project Meetings

The team will meet with the city project managers, staff, and other officials to discuss overall project goals and to finalize the project work plan and schedule. Get-acquainted meetings will be held with the elected and appointed officials as recommended by city staff. Team members will also tour the city with the planning staff to see first-hand how key substantive issues are playing out in practice.

C. Public Participation Strategy

Also at the beginning of Task 1, we will discuss and finalize a public participation process. This process will incorporate (a) Duluth's already-appointed 15-member advisory committee, (b) the city's staff technical committee. We anticipate that it will also include at least ten public meetings/hearings (one during Task 1 and the remaining as outlined in Tasks 2 through 4 below) during the course of eight trips to Duluth. We will also meet with targeted interest groups or individuals during regularly scheduled visits to Duluth and can arrange conference call interviews or discussions during other times. We also anticipate regular reports to elected officials and public meetings at important milestones during the process, and we will discuss optimal use of the city's web site to educate the public and obtain high quality, focused feedback for the project. As part of the public participation strategy we will probably conduct a first public meeting at this time.

D. Interviews with Staff and Others / Staff Survey

Following the document review and initial meetings, we will oversee an intensive initial discussion of land development issues with city staff, the advisory committee, and elected and appointed officials. We will also circulate a survey to key staff and other department heads (including those departments with authority over topics that are going to be integrated into the Unified Development Code – such as stormwater). With staff's guidance, the Clarion team also will interview key players in the development process (e.g., developers, neighborhood group representatives) in small groups or one-on-one to get their views on the same topics. These discussions and review will give us a clear understanding of how the existing codes work (and don't work) in practice, and key issues and practical problems that need to be addressed by the new ordinance.

Task 2: Diagnosis and Annotated Outline

A. Diagnosis and Annotated Outline – Staff Draft

Based on information gathered during Task 1, the Clarion/Farr/Ayers team will prepare a detailed analysis of the current Duluth codes in order to refine the key issues and themes to be addressed through the update. To do so, this analysis will focus on the strengths and weaknesses of the current codes, including:

- Specific areas where the current ordinance fails to reflect or implement the provisions of the 2006 Comprehensive Plan;
- Ways in which the current regulations fail to meet the need for form-based development and consistent character in specific areas of the city – including the Downtown, Central and East Hillside, Downtown Waterfront, Canal Park and the defined special planning areas related to Grand Avenue, West Superior Street, London Road, and East Superior Street (the “Form/Character Areas”);
- Areas of consistency and inconsistency between existing city policies, the new comprehensive plan, and regulations – with particular focus on other UDC topics in the Duluth Legislative Code including erosion and sediment (Chapter 18), heritage preservation (Chapter 28A), plats (Chapter 37) and subdivision regulations, rental licensing in protective zone (Chapter 29A, Article II), signs (Chapter 44), vacation of highways (Chapter 45, Article IV, permits for concurrent use of streets (Chapter 45, Article X, zoning (chapter 50), and water resource management (Chapter 51) (together, the “Related Regulations”).
- Areas of consistency and inconsistency between existing city policies and state and federal regulations including State Statute 15.99 (time deadline for agency action), Minnesota Municipal Planning Act (State Statute 462), Wetland Conservation Act (WCA) and Western Lake Superior Sanitary District (WLSSD) sewer capacity.
- Ways in which the current regulations are ineffective or frustrating to use;
- Ways to make the revised document more user-friendly; and
- Necessary changes related to any new statutory and/or case law.

Combined with the Diagnosis, the Clarion team will draft an Annotated Outline of recommended revisions. The purpose of the Annotated Outline is to allow staff, the advisory committee, the technical committee, and the public an opportunity to review the overall structure of the proposed revisions before the actual drafting begins. This document will also demonstrate in detail how the Related Regulations will be integrated to form a coherent and internally consistent document. The Annotated Outline will set out the proposed structure of the ordinance amendments in detail, providing commentary explaining the purpose and scope of each new or amended provision. As required by the RFP, it will show how relevant state and federal land use regulations (such as key provisions of the Fair Housing Act Amendments and the American’s With Disabilities Act) will be integrated into or cross-referenced in the new unified development code.

The first draft of the Diagnosis/Outline would be for staff and the advisory and technical committees to review. The Clarion team will be available via conference calls to discuss the Diagnosis/Outline at the advisory and technical committees. That review allows staff time to provide Clarion with substantive feedback and identify any factual errors or major issues that should be adjusted in the document prior to public review.

B. Diagnosis/Annotated Outline – Public Draft

After the Clarion team revises the staff draft, based on consolidated written comments from staff, a public draft will be released. We will convene meetings with the advisory committee, the technical committee, and the public to discuss the Diagnosis/Annotated Outline and receive comments. The purpose of the meetings will be to overview and discuss the Diagnosis/ Outline and receive input on the procedural, structural, and substantive issues that should be addressed in the revision effort. The general objective of these meetings will be to gain consensus on the general scope and parameters of the issues to be addressed in the drafting of the new ordinance. In our

experience, obtaining early consensus on issues contained in the Diagnosis/Outline is a crucial step toward ensuring that the remainder of the process proceeds smoothly and effectively.

Task 3: Draft New Unified Development Code

A. Staff Drafts

Based on the Diagnosis/Annotated Outline, the Clarion/Farr/Ayers team will develop a new draft code that is user-friendly, graphically rich, and substantively and procedurally updated to implement the 2006 Comprehensive Plan. The draft will include commentary where necessary to explain changes from current practice and the rationale behind new provisions. The preliminary draft will be intended for discussion and testing primarily among staff, the advisory and technical committees, and the Clarion team.

Because the new code will likely include a substantial amount of new information, it will be difficult for any review body, or the public, to digest in a single meeting. We will therefore divide the drafting into four "Modules"

- **Module 1: Zone Districts and Permitted Uses**
 - (excluding Form/Character Areas)
- **Module 2: Dimensional and Development Standards**
 - (excluding Form/Character Areas)
- **Module 3: Form-Based Zoning Provisions**
 - For eight building types – which we expect will address the following Form/Character areas:
 - Downtown, Central and East Hillside, Downtown Waterfront and Canal Park
 - Grand Avenue (West Duluth)
 - West Superior Street (Lincoln Park) – excluding the "general mixed use" area)
 - London Road (10th Ave. E – 26th Ave. E)
 - East Superior Street (Lakeside-Lester Park)
- **Module 4: Code Administration and Application Review/Approval Procedures**

Collectively, these four modules will integrate the following provisions of the Duluth Legislative Code into a new Unified Development Code:

- Chapter 50 (Zoning)
- Chapter 37 (Plats) and subdivision regulations
- Chapter 44 (Signs) – This work will be limited to integrating existing regulations into the UDC, identifying and addressing inconsistencies and potential legal issues, and making changes to size, height, dimension, and location standards provided by the Client.
- Chapter 45, Article IV (Permits for Concurrent Use of Streets)
- Chapter 45, Article X (Vacation of Highways)

- Chapter 18 (Erosion and Sediment)
- Chapter 28A (Heritage Preservation)
- Chapter 29A, Article II (Rental Licensing in the Protection Zone)
- Chapter 51 (Water Resource Management)

Because of the importance of water resources, stormwater, and erosion issues in this list (and to Duluth in general) we will consider whether “green infrastructure” techniques are appropriate ways to achieve goals for these areas and/or appropriate for inclusion in the UDC.

The Clarion team will prepare a “staff draft” of each Module, which will be sent first to the planning staff and city attorney for review and comment. Each draft module will be accompanied by a cover memorandum that summarizes major new features in the drafts, significant changes from current provisions, and explanations of the new material. While staff is reviewing the first Module, the Clarion team will begin drafting of the second Module, and so on. In this way, drafting and staff review proceeds in a relatively efficient process. We will review the content of each staff draft in a conference call with key city staff (which might include the Technical Committee and any others invited by staff to participate in the review) as well as a conference call with the Advisory Committee. Staff will consolidate and reconcile all of the comments on each installment into a single document and present them in written form to the Clarion team.

B. Public Drafts

Based on the staff and committee comments, the Clarion team will produce a revised draft for distribution to the public (again, in four Modules). We will make one trip to Duluth to present and discuss each Module with the Advisory and Technical Committees and then at the public meetings. Following these discussions we will produce a List of Revisions to each Module, which will be incorporated into the Complete Draft discussed below.

C. Complete Draft

Once the Public Drafts of all four Modules have been prepared and presented to the public, the team will integrate them into a single document that includes all of the changes from the Lists of Revisions, as well as all illustrations. This Complete Draft will be ready for discussion in public review and adoption hearings.

Task 4: Unified Development Code Adoption

The Clarion/Farr/Ayers team will provide supporting materials and presentations during the public review and adoption process. Team members would attend one hearing before the Planning Commission and one hearing before the City Council, and would be available for additional hearings on a time and expense basis.

Preliminary Project Schedule

The Clarion/Farr/Ayers team expects that the scope of work above can be accomplished on the following schedule, but reserves the right to negotiate adjustments with city staff.

TASK	Months since contract signing																	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Task 1 -- Initiation																		
Task 2 -- Diagnosis/ Outline																		
Task 3 -- Drafting																		
Module 1																		
Module 2																		
Module 3																		
Module 4																		
Task 4 -- Adoption																		